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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/799,127

03/11/2004

Noam Sorek

8242

7590 09/26/2007
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15 HANOTRIM STREET
ZICHRON YAACOV, 30900
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EXAMINER

KASSA, YOSEF

ART UNIT

PAPER NUMBER

2624

MAIL DATE

DELIVERY MODE

09/26/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/799,127	Applicant(s) SOREK ET AL.	
	Examiner YOSEF KASSA	Art Unit 2624	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>03/11/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objection

1. Claims 15 and 16 are objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claims 15 and 16. See MPEP § 608.01(n).

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Florent et al (U.S. Patent 6,574,300), and further in view of Nio et al (U.S. Patent 6,738,528).

With regard to claim 1, Florent discloses acquiring image data relating to a plurality of consecutive images (please refer to col. 2, lines 45-50);

determining a local motion factor relating to the consecutive images by specifically processing the consecutive images in a predetermined manner (refer to col. 2, lines 1-3) in order to obtain an image mask that represents information about local motion (refer to col. 3, lines 8-11);

processing the consecutive images (col. 2, lines 13-17). Florent does not disclose expressly for incorporating the image mask, to obtain final usable image

information. However, at the same field of endeavor, Nio discloses this feature (please refer to col. 12, lines 50-56). At the time of the invention, it would have been obvious to a person of ordinary skill in the art to incorporate the teaching Nio image masking process into Florent system. The suggestion/motivation for doing so would have been to provide an image masking system. Therefore, it would have been obvious to combine Nio with Florent to obtain the invention as specified in claim 1.

With regard to claim 2, Florent discloses wherein the step of processing the consecutive images in a predetermined manner in order to obtain information about the local motion factor comprising using spatial and temporal filters (refer to col. 2, lines 12-15).

With regard to claim 3, Florent discloses wherein the spatial and the temporal filters are employed on the mask (refer to col. 2, lines 10-17).

With regard to claim 4, Florent discloses wherein the plurality of consecutive images are acquired in different conditions (refer to col. 2, lines 50-54).

With regard to claim 5, Florent discloses the plurality of consecutive images are acquired using different exposure times (refer to col. 3, lines 37-41).

With regard to claim 6, Florent discloses wherein the plurality of consecutive images are acquired using different aperture (refer to col. 2, lines 45-53).

With regard to claim 7, Florent discloses wherein the plurality of consecutive images are acquired using different focusing distance (refer to Fig. 5B).

With regard to claim 8, Florent discloses carried out in an image domain (refer to col. 7, lines 54-58).

With regard to claim 9, Florent discloses failed to discloses carried out in a

compressed image domain. However, at the same field of endeavor, Noi discloses this feature (please refer to col. 2, lines 45-49). At the time of the invention, it would have been obvious to a person of ordinary skill in the art to incorporate the teaching Noi image encoding system into Florent system. The suggestion/motivation for doing so would have been to provide image compress or encoding system. Therefore, it would have been obvious to combine Noi with Florent to obtain the invention as specified in claim 9.

With regard to claim 10, Florent failed to discloses the compressed image domain is JPEG or MPEG. However, at the same field of endeavor, Noi discloses this feature (please refer to col. 25, lines 18-22). At the time of the invention, it would have been obvious to a person of ordinary skill in the art to incorporate the teaching Noi image encoding system into Florent system. The suggestion/motivation for doing so would have been to provide MPEG image compress system.

With regard to claim 11, Florent discloses failed to discloses before the step of determining a local motion factor the image data undergoes color desaturation. However, at the same field of endeavor, Noi discloses this feature (please refer to col. 22, lines 58-63). At the time of the invention, it would have been obvious to a person of ordinary skill in the art to incorporate the teaching Noi color image processing system. The suggestion/motivation for doing so would have been to provide color image noise eliminating process.

Claim 12 is similarly analyzed and rejected the same as claim 1.

Claim 13 is similarly analyzed and rejected the same as claim 2.

Claim 14 is similarly analyzed and rejected the same as claim 11.

With regard to claims 15 and 16, Florent discloses enhancing imaging in low light

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conditions substantially as described in the present specification, accompanying drawings and appeding claims (refer to col. 5, lines 15-20).

Other Prior Art Cited

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US Patent No. (6819796), (6259823), (6185320), (6226045) and (5883983).

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to YOSEF KASSA whose telephone number is (571) 272-7452. The examiner can normally be reached on Monday-Thursday from 8:00 AM to 6:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bhavesh Mehta can be reached on (571) 272-7453. The fax phone numbers for the organization where this application or proceeding is assigned is (571) 273-8300 for regular communication and (571) 273-8300 for after Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the customer service office whose telephone number is (571) 272-2600.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for

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published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>.

Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

09/18/2007.

YOSEF KASSA

PRIMARY XAMINER

A handwritten signature in black ink, appearing to read 'Yosef Kassa', written in a cursive style.